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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,061	11/16/2001	Gennady Volokitin	03100126AA	7863

7590 10/20/2003

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EXAMINER

DEL SOLE, JOSEPH S

ART UNIT	PAPER NUMBER
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1722

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	Application No. 09/988,061	Applicant(s) VOLOKITIN ET AL.	
	Examiner Joseph S. Del Sole	Art Unit 1722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5/12/03</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Information Disclosure Statement

1. In the IDS of 5/12/03 the Examiner has crossed out citation: "Communication from EPO dated 7-15-02" because it does not constitute a printed publication available to the public in accordance with 37 C.F.R. 1.98. However, the cited communication has been placed in the file.

Specification

2. The disclosure is objected to because at the bottom of each page multiple lines are illegible, due to a blank line passing through each page of the specification and claims. The Examiner suggests that the Applicant submit another substitute specification. Again, the Applicant must be sure to follow 37 CFR 1.125. This includes, but is not limited to, a) submitting a statement that the substitute specification includes no new matter; b) submitting a marked up version of the substitute specification showing all the changes (including the matter being added to and the matter being deleted from) to the specification of record and c) submitting the substitute specification in clean form without markings as to amended material.

Appropriate correction is required.

Claim Objections

3. Claim 5 objected to because of the following informalities: a) two lines of claim 5 are illegible, a clear copy of the claims should be submitted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Volokitin et al (RU2174165C1).

Volokitin et al teach a device for producing synthetic fiber materials (Fig 1), with a polymer melt feed leading to a rotating hollow reactor (Fig 1, #1), whose wall can be heated and which widens conically in order to guide a film melt toward an open side that can be closed with a lid (Fig 1, #13), and with ribs (Fig 2, #4) for dividing the melt film into fibers that grow rigid after leaving the hollow reactor, wherein the hollow reactor is vertically oriented and exhibits on its curved upper side an opening (Fig 1, #3) for introducing the polymer melt, while a rotating distributor plate (Fig 1, #12) is positioned opposite the opening, at a slight distance from the inner wall of the hollow reactor; wherein the distance between the distributor plate and the inner wall of the hollow reactor can be adjusted; wherein the distributor plate exhibits a surface that faces the opening and that rises toward the rim (Fig 1, #2); wherein the distributor plate exhibits an upper side that curves in concave fashion and faces the opening; wherein a truncated cone (Fig 1, #11) whose outer diameter is smaller than the diameter of the distributor plate is positioned on the distributor plate; wherein the diameter of the truncated cone is on the same order of magnitude as the diameter of the opening of the

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feed; wherein the inner wall of the hollow reactor is parabolic in shape; wherein the ribs on the inner wall of the hollow reactor run vertical to the rim in the lower area; wherein the hollow reactor, together with a surrounding container (Fig 1, #5), forms a curved gap (Fig 1, #6), to which a steam feed and a steam outlet are attached (Fig 1, #7 is the steam generator); wherein the steam feed and the steam outlet are positioned on the upper and lower rim of the hollow reactor; wherein the steam is guided through the gap in circulating fashion; wherein the steam is conducted through the curved gap in the same direction as the melt flowing as a film on the inner wall of the hollow reactor (Figures 1 and 2).

Response to Arguments

6. Applicant's arguments filed 8/14/03, with respect to the objections of the claims and the specification have been fully considered and are persuasive. However, upon further consideration, a new ground(s) of rejection is made in view of reference RU2174165C1, submitted as part of an IDS on 5/12/03 (although not available to the Examiner at the time of the mailing of the previous Office action, the IDS was submitted before mailing of the Office action).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph S. Del Sole whose telephone number is (703) 308-6295. The examiner can normally be reached on Monday through Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wanda Walker, can be reached at (703) 308-0457. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310 for non-after finals and (703) 872-9311 for after finals.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Joseph L Del Sol

U.S.D.

October 8, 2003